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Attorneys For Cross-Claim Defendants
Nunziata and Metamorphosis, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FASHION WORLD, LTD.,

Plaintiff,

- against -

JEFF GREEN, ZIARI INTERNATIONAL, Ltd.,
US MERCHANTS FINANCIAL GROUP, INC.,
THE MERCHANT OF TENNIS, INC., LISA
NUNZIATA and METAMORPHOSIS, INC.,

Defendants.

and

DARRYL MAYNARD, PING LEUNG and
ALEX CHANG,

Additional Cross-Claim Defendants

and

Bruno Condi and Fortuna Valentino,

Additional Counterclaim Defendants.

07 Civ. 6108 (PKC)

CROSS-CLAIM DEFENDANTS
STATEMENT OF INITIAL
DISCLOSURE PURSUANT TO
Rule 26(a)(1)

**CROSS-CLAIM DEFENDANTS LISA NUNZIATA AND METAMORPHOSIS,
INC.'S STATEMENTS OF INITIAL DISCLOSURE**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Cross-Claim Defendants Lisa Nunziata and Metamorphosis Inc., by counsel, hereby provide their initial disclosures to Cross-Claim Plaintiffs.

Reservation of Rights

1. These disclosures are based upon the limited information reasonably available to Cross-Claim Defendants as of the date they were prepared, and in advance of entry of a discovery schedule by the Court. Cross-Claim Defendants reserve the right to supplement or revise the information contained herein when and if additional information becomes known to it at some later date.
2. These initial disclosures are not intended to and do not constitute a waiver of any objections Cross-Claim Defendants may have, now or in the future, to any discovery in this action. Cross-Claim Defendants expressly reserve any and all objections that it had, has, or may ever have including but not limited to, objections based upon: a) relevance; b) attorney-client privilege; c) attorney work-product; d) any other applicable privilege or protection under federal or state law; d) undue burden or harassment; f) immateriality; and/or g) overbreadth.
3. Cross-Claim Defendants expressly reserve the right to identify or call as witnesses individuals in addition to those identified herein, and to identify additional documents, if Cross-Claim Defendants discover that such individuals have or might have knowledge of matters not known by the individuals identified herein and relevant to this action or that such additional documents relevant to this action. Cross-Claim Defendants also reserve the right to call as witnesses individuals in addition to those identified herein to the extent such witnesses are required to authenticate an exhibit offered into evidence or to establish the chain of custody of an exhibit offered into evidence.
4. Any or all of these initial disclosures are made subject to and without limiting any of the foregoing reservations of rights.

A. Individuals Likely to Have Discoverable Information

Compiling a list of everyone who might have discoverable information is not possible, and beyond the requirements of Rule 26(a)(1)(A). In addition, Cross-Claim Defendants may present the testimony of an expert and presently unknown third-parties, but has not yet determined who its experts or the third-parties will be. Cross-claim Defendants will disclose information concerning its experts, if any, in accordance with the Court's Pre-trial Schedule. The individuals (to the extent currently known by Cross-Claim defendants) likely to have discoverable information regarding the disputed facts alleged with particularity in the pleadings are:

1) Bruno Condi and Fotuna Valentino
c/o Susan Schneiderman, Esq.
Ballon Stoll Bader & Nadler, P.C.

1450 Broadway
New York, New York 10018

- 1) Daryl Maynard
c/o Wanda Borges, Esq.
Borges & Associates, LLC
575 Underhill Blvd., Ste. 110
Syosset, New York 11791
- 2) Jeff Green – Defendant,
8737 Wilshire Blvd,
Beverly Hills, CA 90211
c/o Stuart Blander Esq.
Heller, Horowitz & Feit, P.C.
292 Madison Ave.,
New York, New York 10017
- 3) Thomas Cahill
440 Alabama Street
San Francisco, CA 94110
- 4) Skip Rosenblatt
145 E 92nd Street
New York, New York 10128
- 5) Ping Lueng
6/FBonsun Ind Bldg
364-366 Sha Tsui Road
Hong Kong, China
- 6) Alex Chang
6/FBonsun Ind Bldg
364-366 Sha Tsui Road
Hong Kong, China

B. Documents Relevant To Disputed Facts Alleged In Pleadings

It is impossible at this early stage in the litigation for Cross-Claim Defendants to identify every document that supports its defenses. Accordingly, what follows are categories of documents located in the possession, custody or control of Cross-Claim Defendants and/or its counsel that Cross-Claim Defendants presently believe may support their defenses in this case. Cross-Claim Defendants reserve the right to supplement this list as discovery in the case proceeds.

Purchase Order Forms

Correspondence Between Fashion World and Metamorphosis, Inc.

Contracts/draft contracts between Metamorphosis and Fashion World, Inc.

~~Appointment Books/Calendars belonging to Metamorphosis~~

C. Computation of Damages

Cross-claim defendants are not seeking damages.

D. Insurance

Cross-claim Defendants do not have insurance for the claims in this case.

Dated: New York, New York

November 30, 2007, 2007

MOSKOWITZ & BOOK, LLP

By: 

Susan J. Walsh (SW 9938)

Attorneys for Defendants

1372 Broadway, 14th Floor

New York, New York 10018

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AFFIDAVIT OF SERVICE

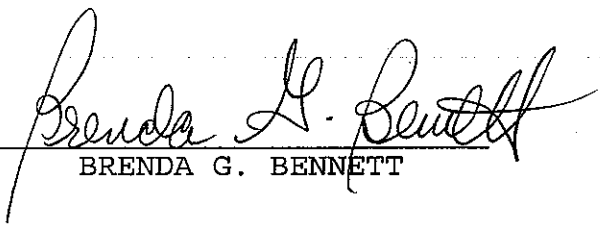
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

BRENDA G. BENNETT, hereby declares under penalty of perjury: I am not a party to this action, am over the age of 18 years, and reside in Bronx County, New York State. On the 30th day of November, 2007, I served, via filing through the Court's ECF system, a true copy of the foregoing Cross-Claim Defendants Nunziata and Metamorphosis, Inc.'s Initial Disclosure Pursuant to Rule 26(a)(1), upon:

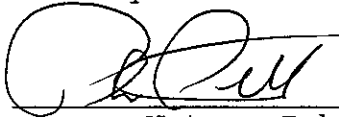
Stuart Arlin Blander, Esq.
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1450 Broadway
New York, NY 10018

Wanda Borges, Esq.
Borges & Associates, LLC
575 Underhill Boulevard
Syosset, NY 11791


BRENDA G. BENNETT

Sworn to before me this
30th day of November, 2007



Notary Public

Philip A. Ponterio
Notary Public, State of New York
No. 01PO6175176
Qualified in Richmond County
Commission Expires October 9, 2011